

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JANE FARRELL and
MICHAEL FARRELL,

Plaintiffs

v.

UNITED STATES,

Defendant

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CIVIL ACTION NO. 3:19-1786

(JUDGE MANNION)

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. The United States is substituted as the proper Defendant in this case and WMCHC and Giannetti are **DISMISSED WITH PREJUDICE**.
2. Defendant United States' motion to dismiss based on Plaintiffs' failure to exhaust their FTCA administrative remedies with respect to their claims prior to filing their complaint, **(Doc. 4)**, is **GRANTED**.
3. The plaintiffs' complaint, **(Doc. 1)**, is **DISMISSED WITHOUT PREJUDICE** since plaintiffs failed to satisfy a jurisdictional prerequisite to initiating a civil action under the FTCA.
4. The Clerk of Court is directed to **CLOSE** this case.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: February 18, 2020